

1 **NOTICE OF PUBLIC EDUCATION REPORTING**
2 **REQUIREMENT**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Susan Pulsipher**

6 Senate Sponsor: Lincoln Fillmore

8 **LONG TITLE**

9 **General Description:**

10 This bill enacts provisions related to legislation that affects reporting requirements for
11 local education agencies.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ requires the State Board of Education to inform the Office of the Legislative Fiscal
15 Analyst when a bill impacts reporting requirements for local education agencies;
16 and

17 ▶ provides that the Office of the Legislative Fiscal Analyst shall disclose any impacts
18 to the bill's sponsor and, upon request, to any other legislator.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **36-12-13**, as last amended by Laws of Utah 2018, Chapter 248

26 **53E-3-507**, as last amended by Laws of Utah 2020, Chapter 365

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **36-12-13** is amended to read:

30 **36-12-13. Office of the Legislative Fiscal Analyst established -- Powers, functions,**
31 **and duties -- Qualifications.**

32 (1) There is established an Office of the Legislative Fiscal Analyst as a permanent staff
33 office for the Legislature.

34 (2) The powers, functions, and duties of the Office of the Legislative Fiscal Analyst
35 under the supervision of the fiscal analyst are:

36 (a) (i) to estimate general revenue collections, including comparisons of:

37 (A) current estimates for each major tax type to long-term trends for that tax type;

38 (B) current estimates for federal fund receipts to long-term federal fund trends; and

39 (C) current estimates for tax collections and federal fund receipts to long-term trends

40 deflated for the inflationary effects of debt monetization; and

41 (ii) to report the analysis required under Subsection (2)(a)(i) to the Legislature's

42 Executive Appropriations Committee before each annual general session of the Legislature;

43 (b) to analyze in detail the state budget before the convening of each legislative session

44 and make recommendations to the Legislature on each item or program appearing in the

45 budget, including:

46 (i) funding for and performance of programs, acquisitions, and services currently

47 undertaken by state government to determine whether each department, agency, institution, or

48 program should:

49 (A) continue at its current level of expenditure;

50 (B) continue at a different level of expenditure; or

51 (C) be terminated; and

52 (ii) increases or decreases to spending authority and other resource allocations for the

53 current and future fiscal years;

54 (c) to prepare on all proposed bills fiscal estimates that reflect:

55 (i) potential state government revenue impacts;

56 (ii) anticipated state government expenditure changes;

57 (iii) anticipated expenditure changes for county, municipal, local district, or special

58 service district governments; and

59 (iv) anticipated direct expenditure by Utah residents and businesses, including the unit

60 cost, number of units, and total cost to all impacted residents and businesses;

61 (d) to indicate whether each proposed bill will impact the regulatory burden for Utah

62 residents or businesses, and if so:

63 (i) whether the impact increases or decreases the regulatory burden; and

64 (ii) whether the change in burden is high, medium, or low;

65 (e) beginning in 2017 and repeating every three years after 2017, to prepare the

66 following cycle of analyses of long-term fiscal sustainability:

67 (i) in year one, the joint revenue volatility report required under Section [63J-1-205](#);

68 (ii) in year two, a long-term budget for programs appropriated from major funds and

69 tax types; and

70 (iii) in year three, a budget stress test comparing estimated future revenue to and

71 expenditure from major funds and tax types under various potential economic conditions;

72 (f) to report instances in which the administration may be failing to carry out the

73 expressed intent of the Legislature;

74 (g) to propose and analyze statutory changes for more effective operational economies

75 or more effective administration;

76 (h) to prepare, before each annual general session of the Legislature, a summary

77 showing the current status of the following as compared to the past nine fiscal years:

78 (i) debt;

79 (ii) long-term liabilities;

80 (iii) contingent liabilities;

81 (iv) General Fund borrowing;

82 (v) reserves;

83 (vi) fund and nonlapsing balances; and

84 (vii) cash funded capital investments;

85 (i) to make recommendations for addressing the items described in Subsection (2)(h) in

86 the upcoming annual general session of the Legislature;

87 (j) to prepare, after each session of the Legislature, a summary showing the effect of
88 the final legislative program on the financial condition of the state;

89 (k) to conduct organizational and management improvement studies;

90 (l) to prepare and deliver upon request of any interim committee or the Legislative
91 Management Committee, reports on the finances of the state and on anticipated or proposed
92 requests for appropriations;

93 (m) to recommend areas for research studies by the executive department or the interim
94 committees;

95 (n) to appoint and develop a professional staff within budget limitations;

96 (o) to prepare and submit the annual budget request for the office;

97 (p) to develop a taxpayer receipt:

98 (i) available to taxpayers through a website; and

99 (ii) that allows a taxpayer to view on the website an estimate of how the taxpayer's tax
100 dollars are expended for government purposes; and

101 (q) to publish or provide other information on taxation and government expenditures
102 that may be accessed by the public.

103 (3) The legislative fiscal analyst shall have a master's degree in public administration,
104 political science, economics, accounting, or the equivalent in academic or practical experience.

105 (4) In carrying out the duties provided for in this section, the legislative fiscal analyst
106 may obtain access to all records, documents, and reports necessary to the scope of the
107 legislative fiscal analyst's duties according to the procedures contained in Title 36, Chapter 14,
108 Legislative Subpoena Powers.

109 (5) The Office of the Legislative Fiscal Analyst shall provide any information the State
110 Board of Education reports in accordance with Subsection 53E-3-507(7) to:

111 (a) the chief sponsor of the proposed bill; and

112 (b) upon request, any legislator.

113 Section 2. Section **53E-3-507** is amended to read:

114 **53E-3-507. Powers of the state board.**

115 The state board:

116 (1) shall establish minimum standards for career and technical education programs in
117 the public education system;

118 (2) may apply for, receive, administer, and distribute funds made available through
119 programs of federal and state governments to promote and aid career and technical education;

120 (3) shall cooperate with federal and state governments to administer programs that
121 promote and maintain career and technical education;

122 (4) shall cooperate with the Utah Board of Higher Education, technical colleges, Salt
123 Lake Community College's School of Applied Technology, Snow College, Utah State
124 University Eastern, and Utah State University Blanding to ensure that students in the public
125 education system have access to career and technical education at technical colleges, Salt Lake
126 Community College's School of Applied Technology, Snow College, Utah State University
127 Eastern, and Utah State University Blanding;

128 (5) shall require that before a minor student may participate in clinical experiences as
129 part of a health care occupation program at a high school or other institution to which the
130 student has been referred, the student's parent has:

131 (a) been first given written notice through appropriate disclosure when registering and
132 prior to participation that the program contains a clinical experience segment in which the
133 student will observe and perform specific health care procedures that may include personal
134 care, patient bathing, and bathroom assistance; and

135 (b) provided specific written consent for the student's participation in the program and
136 clinical experience; ~~and~~

137 (6) shall, after consulting with school districts, charter schools, the Utah Board of
138 Higher Education, technical colleges, Salt Lake Community College's School of Applied
139 Technology, Snow College, Utah State University Eastern, and Utah State University Blanding,
140 prepare and submit an annual report in accordance with Section [53E-1-203](#) detailing:

141 (a) how the career and technical education needs of secondary students are being met;

142 and

143 (b) the access secondary students have to programs offered:

144 (i) at technical colleges; and

145 (ii) within the regions served by Salt Lake Community College's School of Applied

146 Technology, Snow College, Utah State University Eastern, and Utah State University

147 Blanding[?]; and

148 (7) when the Office of the Legislative Fiscal Analyst requests information from the

149 board related to a fiscal note for a proposed bill, shall report to the Office of the Legislative

150 Fiscal Analyst, in addition to the other information requested, whether the proposed bill will

151 impact the reporting requirements for local education agencies and if so:

152 (a) whether the impact increases or decreases the reporting requirements;

153 (b) whether the change in requirements is high, medium, or low; and

154 (c) the effect of the change in requirements on the amount and quality of information

155 available to taxpayers, parents, and legislators.